

IFCN

2623 KB

DOCKET NO.: IVOO-0071

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Charles Eric Hunter, Bernard L. Ballou,

Jr., Kelly C. Sparks and John H. Hebrank Confirmation No.: 3041

Application No.: 10/072,471

Group Art Unit: 2623

Filing Date: February 7, 2002

Examiner: Annan Q. Shang

For: **SYSTEMS AND METHODS FOR PROVIDING CONSUMERS WITH
ENTERTAINMENT CONTENT AND ASSOCIATED PERIODICALLY
UPDATED ADVERTISING**

DATE OF DEPOSIT: April 4, 2007

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID,
ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE UNITED STATES PATENT AND
TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450.

TYPED NAME: Michael D. Stein
REGISTRATION NO.: 34,734

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

04/09/2007 MWDGE1 00000005 233050 10072471
01 FC:1806 180.00 DA

- In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.
- In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:
 - Certification in Accordance with § 1.97(e) is attached; or
 - Please charge deposit account 23-3050 the fee of \$180.00 as set forth in § 1.17(p).
- In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).
- Copies of reference numbers 5 - 41 listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of reference numbers 1 - 4 on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.
- The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: April 4, 2007



Michael D. Stein
Registration No. 34,734

WOODCOCK WASHBURN LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



Form PTO-1449 Modified		Docket No. IVOO-0071	Application No. 10/072,471
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank	
U.S. Department of Commerce Patent and Trademark Office		Filing Date February 7, 2002	Group 2623
		Confirmation No. 3041	

U. S. PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Name	Class	Subclass
	1	2002/0112243	08/15/02	Ballou et al.	725	133
	2	2002/0112235	08/15/02	Ballou et al.	725	89
	3	2002/0124251	09/05/02	Hunter et al.	725	42
	4	2003/0061607	03/27/03	Hunter et al.	725	32



Form PTO-1449 Modified		Docket No. IVOO-0071	Application No. 10/072,471
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank	
U.S. Department of Commerce Patent and Trademark Office		Filing Date February 7, 2002.	Group 2623
		Confirmation No. 3041	

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document No.	Date	Country	Translation	
					YES	NO
	5	EP 0 683 943	11/29/93	EPO		
	6	WO 00/07368	02/10/00	PCT		
	7	WO 01/41013	06/07/01	PCT		
	8	WO 01/47249	06/28/01	PCT		

EXAMINER	DATE CONSIDERED
-----------------	------------------------



Form PTO-1449 Modified	Docket No. IVOO-0071	Application No. 10/072,471
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)	Applicant Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank	
U.S. Department of Commerce Patent and Trademark Office	Filing Date February 7, 2002	Group 2623
	Confirmation No. 3041	

NON-PATENT DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

9	"Wink Television Press Room," http://www.wink.com/contents/PressReleases.shtml , downloaded and printed on 5/14/02.
10	"Wink Announces First National Advertising Partners: AT&T, Levi Strauss & Co., and GE," http://www.wink.com/contents/PressReleases/930708938/content.shtml , downloaded and printed on 5/14/02, dated Sept. 9, 1998.
11	"Wink Communications, Inc., Changes the Advertising Landscape," http://www.wink.com/contents/PressReleases/930709807/content.shtml , downloaded and printed on 5/14/02, dated January 21, 1999.
12	"Wink's History," http://www.wink.com/contents/history.shtml , downloaded and printed on 5/14/02.
13	"How Wink Works," http://www.wink.com/contents/howitworks.shtml , downloaded and printed on 5/14/02.
14	"What is Wink: Examples," http://www.wink.com/contents/examples.shtml , downloaded and printed on 5/14/02.
15	"The Wink System." http://www.wink.com/contents/tech_diagram.shtml , downloaded and printed on 5/14/02.
16	"Wink Response Server and Wink Response Network," http://www.wink.com/contents/tech_wrs.shtml , downloaded and printed on 5/14/02.
17	"ICAP and HTML (ATVEF)," http://www.wink.com/contents/tech_icap.shtml , downloaded and printed on 5/14/02.
18	"Wink Studio and Wink Server Studio," http://www.wink.com/contents/tech_studio.shtml , downloaded and printed on 5/14/02.
19	"Wink Broadcast Server," http://www.wink.com/contents/tech_wbs.shtml , downloaded and printed on 5/14/02.
20	"Wink Client Software," http://www.wink.com/contents/tech_engine.shtml , downloaded and printed on 5/14/02.
21	"DataPlay, Inc. - Universal Recording Media - Discover," http://www.dataplay.com/jsp_files/en/discover/index-music.jsp , downloaded and printed on 5/14/02, (Copyright 2001).
22	"DataPlay, Inc. - Universal Recording Media - What's Playing on DataPlay," http://www/dataplay.com/servlets/ProductList?action=productSearch , downloaded and printed on 5/14/02, (Copyright 2001).



Form PTO-1449 Modified		Docket No. IVOO-0071	Application No. 10/072,471
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank	
U.S. Department of Commerce Patent and Trademark Office		Filing Date February 7, 2002	Group 2623
		Confirmation No. 3041	
NON-PATENT DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	23	>DataPlay, Inc. - Universal Recording Media - What's Playing on DataPlay," http://www.dataplay.com/jsp_files/en/whatsplaying/products.jsp , downloaded and printed on 5/14/02, (Copyright 2001).	
	24	>DataPlay, Inc. - Universal Recording Media - What's Playing on DataPlay," http://www.dataplay.com/jsp_files/en/whatsplaying/products.jsp?action=details , downloaded and printed on 5/14/02, (Copyright 2001).	
	25	>DataPlay, Inc. - Universal Recording Media - Industry," http://www.dataplay.com/jsp_files/en/industry/products-digitalmedia.jsp , downloaded and printed on 5/14/02. (Copyright 2001).	
	26	>DataPlay, Inc. - Universal Recording Media - Industry," http://www.dataplay.com/jsp_files/en/industry/products-engines.jsp , downloaded and printed on 5/14/02. (Copyright 2001).	
	27	>DataPlay, Inc. - Universal Recording Media - Industry," http://www.dataplay.com/jsp_files/en/industry.contentproviders.jsp , downloaded and printed on 5/14/02. (Copyright 2001).	
	28	>DataPlay, Inc. - Universal Recording Media - Industry," http://www.dataplay.com/jsp_files/en/industry/products-contentkey.jsp , downloaded and printed on 5/14/02. (Copyright 2001)	
	29	>DataPlay, Inc. - Universal Recording Media - Industry," http://www.dataplay.com/jsp_files/en/industry/index.jsp , downloaded and printed on 5/14/02. (Copyright 2001)	
	30	>"What's Playing on DataPlay - Everything Digital," DataPlay Micro-optical Engine Product Brochure, downloaded and printed on 5/14/02, (Copyright 2000-2002).	
	31	>"What's Playing on DataPlay - Everything Digital," DataPlay Digital Media Product Brochure, downloaded and printed on 5/14/02, (Copyright 2000-2001).	
	32	>"Onsale Invoice," http://www.onsale.com/cgi-win/invoice.exe , dated January 19, 1998, printed January 20, 1998; (Copyright 1997).	
	33	>"Sell Goods to Egghead.com." ShowPage.dll?page=hd_aboutus_sellgoods_p">http://www.egghead.com>ShowPage.dll?page=hd_aboutus_sellgoods_p , printed September 29, 2001.	
	34	>"Demographics profile," ShowPage.dll?page=hd_aboutus_demo_p">http://www.egghead.com>ShowPage.dll?page=hd_aboutus_demo_p , printed September 29, 2001.	



Form PTO-1449 Modified		Docket No. IVOO-0071	Application No. 10/072,471
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant Charles Eric Hunter, Bernard L. Ballou, Jr., Kelly C. Sparks and John H. Hebrank	
U.S. Department of Commerce Patent and Trademark Office		Filing Date February 7, 2002	Group 2623
		Confirmation No. 3041	

NON-PATENT DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	35	"About us," ShowPage.dll?page=hd_aboutus_aboutus_p">http://www.egghead.com>ShowPage.dll?page=hd_aboutus_aboutus_p , printed September 29, 2001.
	36	"Universal Product Code (UPC) and EAN Article Numbering Code (EAN) Page," http://www.adamsl.com/pub/russadam/upccode.html , by Russ Adams, printed September 24, 2001
	37	"Internet Archive Way Back Machine- Searched for http://www.egghead.com ," printed April 8, 2002. (Copyright 2001).
	38	"Internet Archive Way Back Machine- Searched for http://www.onsale.com ," printed April 8, 2002, (Copyright 2001).
	39	"Calimetrics' Multilevel Technology Enables Higher-Performance CD/DVD Recorders: An IDC White Paper," Wolfgang Schlichting, (Copyright 2000).
	40	"Making Digital Cinema Actually Happen- What it Takes and Who's Going to Do It," Steven A Morley, (Copyright 1998).
	41	"Streaming Onto the Movie Screen, with Nary a Scratch," Karen J. Bannan, The New York Times, May 9, 2002, page E5.